

Dear Tripti,

I have taken note of the letter dated 2 September 2025 from Michael D. Palage regarding governance concerns and, in particular, the operation of the ICANN Nominating Committee (NomCom). Given the seriousness of the issues raised, it is important to set the record clearly in the interest of accuracy, transparency, and accountability.

The Nature of NomCom

The ICANN Nominating Committee is not the decision of a single individual, nor does it operate on subjective or opaque criteria. It is a broadly representative multistakeholder body, with members appointed by ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs). These include representatives from:

- At-Large Advisory Committee (ALAC)
- Country Code Names Supporting Organization (ccNSO)
- Generic Names Supporting Organization (GNSO)
- Governmental Advisory Committee (GAC)
- Root Server System Advisory Committee (RSSAC)
- Security and Stability Advisory Committee (SSAC)
- IETF liaison
- ICANN Board and staff liaisons (non-voting)

This composition ensures that no one constituency or individual can dominate outcomes. Decisions emerge from consensus and collective deliberation.

On Transparency and Accountability

While candidate deliberations are conducted in strict confidentiality—protecting applicants from external influence—the process is far from opaque:

- NomCom publishes its Operating Procedures annually, open to community input.
- After each cycle, NomCom produces a comprehensive public report outlining outreach, evaluation, and selection processes.
- NomCom is subject to independent organizational reviews as mandated by ICANN's bylaws. The 2007 and 2018 reviews, while suggesting improvements, affirmed the committee's essential role and legitimacy.
- Oversight is provided through the Organizational Effectiveness Committee (OEC) and Board Governance Committee (BGC), ensuring accountability to the ICANN community and the Board.

On Candidate Evaluation

Assertions that selections are made based on familiarity or “comfort” with candidates mischaracterize the rigor of the evaluation process. Every candidate undergoes:

- Structured interviews before all voting members of the committee.
- Scoring against published criteria, including skills, experience, geographic and gender diversity, and independence.
- Consensus-driven discussions and voting, with all voting members participating equally.

This methodology prevents individual bias and reinforces fairness.

On “Whisper Campaigns”

Suggestions that qualified candidates can be sidelined through informal campaigns do not reflect NomCom's structure. Decisions cannot be made by rumor or influence—they require formal deliberation and consensus of the full committee. Confidentiality exists precisely to safeguard candidates against external interference and lobbying.

On “Unaffiliated Director” Recommendations

Mr. Palage rightly notes the historical recommendations of independent reviews concerning unaffiliated directors. However, the record shows that ICANN has taken those recommendations seriously and acted in accordance with its bylaws and processes:

The 2018 Independent Examiner Report was followed by the creation of a NomCom Review Implementation Working Group (NomComRIWG).

Its Detailed Implementation Plan was accepted by the Board in 2019.

Subsequent steps—including the 2023 bylaw amendment process and public comment—reflect the multistakeholder principle of consensus building.

As a former member of the NomComRIWG, I can attest that these recommendations were not ignored but carefully considered, with the aim of balancing independence with the practical realities of ICANN’s global community. Progress may appear deliberate, but this is the strength of the ICANN model: governance reforms must be broadly accepted through multistakeholder consensus, not imposed hastily.

Michael Palage’s concerns highlight the importance of vigilance in governance, but it is equally important to recognize that the NomCom is neither flawed nor unaccountable. It is a transparent, multistakeholder-driven mechanism, continuously reviewed and improved through ICANN’s established processes.

The integrity of the NomCom lies in its diversity of stakeholders, its independence from undue influence, and its commitment to ICANN’s mission. While recommendations for reform are under active consideration, it is incorrect to suggest that the process is byzantine, opaque, or fundamentally biased.

Respectfully,

Dave Kissoondoyal
Former NomCom Member

CC: Nicolas G. Caballero (Chair, GAC)
Arielle Roth (NTIA)
Susan Chalmers (NTIA)
